

# *The Effectiveness Of The Penitentiary Revitalization Program On Nusakambangan Island In Accordance With The Minister Of Law And Human Rights Regulation No. 35 Of 2018 Concerning Revitalization Of Correctional Organizations*

Arfianto Indrajaya<sup>1</sup>

<sup>1</sup>Jenderal Soedirman University, Purwokerto - Indonesia

E-mail: arfianto.indrajaya@gmail.com

**Abstract-** *In accordance with Article 2 point C of the Regulation of the Minister of Law and Human Rights Republic of Indonesia Number: 35 of 2018 concerning Penitentiary Revitalization that the Revitalization of Correctional Organization aims to enhance the role of Community Guidance. The formulation of the problem in this study are 1) Is the implementation of the prison revitalization program on the island of nusakambangan in accordance with the Minister of Law and Human Rights Regulation No. 35 Year 2018 concerning the revitalization of correctional arrangements? 2) What are the obstacles in implementing a prison revitalization program on Nusakambangan Island? The legal research method used in this study is the normative method, namely through the approach of qualitative research methods by analyzing the data contained in library research. The results of research in implementing the correctional revitalization program on Nusakambangan Island are related to the effectiveness of the correctional revitalization program on Nusakambangan Island that revitalization requires insufficient support resources, so that in this case it can be said to be ineffective in conducting a correctional revitalization program, due to several factors in implementing the revitalization program, namely inadequate human resources and facilities and infrastructure that are less efficient in treating prisoners.*

**Keywords-** *Penitentiary Revitalization Program; Prisoners.*

concerning Revitalization of Correctional Arrangements, through the Revitalization of Correctional Arrangements, fostering prisoners will be classified into Super Maximum Security Correctional Institutions, Maximum Security Correctional Facilities, Medium Security Correctional Facilities, and Minimum Security Correctional Prison with Nusakambangan Island. as a pilot project. With the classification of Penitentiary Revitalization, it is expected that the state will more easily anticipate security disturbances in the Correctional Technical Implementation Unit (UPT) because it already knows the characteristics of prisoners.

Penitentiary revitalization program is divided into 4 (four) security levels, namely super maximum, maximum, medium and minimum security. This was done as an effort to give trust to the fostered citizens who were judged to have changed their attitude to become better personal than before. Penitentiary revitalization on the island of Nusakambangan is also carried out for physical and mental development of prison officers and fostered residents, where integrity must be maintained so that correctional institutions are clean from extortion practices, the use of devices and drug control in prisons.

## I. INTRODUCTION

The implementation of the Minister of Law and Human Rights Regulation No. 35 of 2018

## II. PROBLEMS

From the description above, it can be drawn a problem statement in this study. First, how the

implementation of the penitentiary revitalization program on the island of Nusakambangan in accordance with Minister of Law and Human Rights Regulation No. 35 Year 2018 concerning the revitalization of the implementation of correctional arrangements? And second, how are the obstacles in implementing a prison revitalization program on Nusakambangan Island?

### III. RESEARCH METHOD

In this study using qualitative research as research that produces descriptive data in the form of written words, or spoken from people and observable behavior. Approach to qualitative research methods by analyzing the data contained in library research. The research used in this paper also uses a descriptive qualitative approach, by observing the condition of the object of scientific study.[2]

### IV. DISCUSSION

#### A. Implementation of Correctional Revitalization Program on Nusakambangan Island in Accordance with Minister of Law and Human Rights Regulation No. 35 of 2018 concerning Revitalization of Correctional Arrangements

The negative stigma of the community is still always attached to the Correctional Prisoners (WBP). It happened because of the crime they had committed, which made people reluctant to accept it again in social life. Seeing this phenomenon makes the government through the State Detention Center (Rutan), Penitentiary (Lapas), and Penitentiary (Bapas) must extra provide guidance to the Guided Residents, especially to prisoners. With the hope that later when it is free it can re-mingle with the community.

Penitentiary Revitalization aims to optimize the implementation of correctional services in providing treatment for Prisoners, Prisoners and clients as well as protection of ownership rights to evidence. Can be interpreted that the Penitentiary to change management where the management of overcrowded into opportunities and strengths.

Penitentiary system revitalization is an effort to progressively redefine the ideal model

of correctional system implementation and is based on a holistic analysis of the elements that influence the implementation of correctional tasks and functions as well as existing objective conditions. That way we will get a formula that is more appropriate in solving various problems that have already been indicated, in the implementation of the correctional system work with measurable and clear steps of change. Revitalization implements a competency-based coaching model. Whereas competence is interpreted as a set of responsible and intelligent actions a person has as a condition for being able to be considered capable by the community when carrying out tasks in the existing field of work. The coaching program model aims at preparing and producing correctional resources for prisoners who are able to integrate themselves into the community, are characterized as well as competent in providing an impetus to a development activity in various sectors. It is expected that through Penitentiary Revitalization will be able to prepare correctional fostered citizens to be independent and ready to work professionally and can be entrepreneurs in driving national development, where it is an achievement of the successful implementation of the Correctional System.

With the enactment of Law No. 12 of 1995 concerning Corrections, resulting in a paradigm shift from conviction, which was initially better known as imprisonment towards the guidance process. Moreover, the country of Indonesia is a country that has the ideology of Pancasila. That way the applications in conviction are no longer just the application of deterrence. Rather it is part of the rehabilitation and social reintegration process for prisoners and prisoners.

It cannot be denied that during this time Lapas and Rutan have indeed not yet carried out their functions optimally, they can even be deemed to have deviated from the original purpose of their establishment, which aims for coaching. Some of the issues that became the background of thinking about the need for penitentiary revitalization are increased occupancy and limited occupational capacity in correctional institutions / detention,

community demands in providing services to prisoners and the emergence of images that prison / remand center is an institution that only consumes the state budget. Thus the need for correctional revitalization is carried out.

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Minister of Law and Human Rights Regulation Number 35 Year 2018, Article I Paragraph (1) explains that:

Revitalization of correctional services is an effort to optimize the implementation of correctional facilities as a form of treatment

of detainees, prisoners, and clients as well as protection of ownership rights to evidence.

Revitalization of correctional services includes:

- a. Detention services.
- b. Guiding Prisoners.
- c. Client guidance.
- d. Management of confiscated goods of the state and state booty.[2]

Revitalization of prison administration is a step in fostering inmates that will be classified as super maximum security prisons, maximum security prisons, medium security prisons and minimum security prisons. With the classification of correctional revitalization, it is expected that the state will more easily anticipate security disturbances in the Correctional Technical Implementation Unit (UPT) because it already knows the characteristics of prisoners.

Revitalization of correctional arrangements is also an effort to optimize the implementation of correctional services as a form of treatment of detainees, prisoners, and clients as well as protection of ownership rights to evidence so as to facilitate organizations in taking policy steps.[3]

Penitentiary Revitalization aims to:

1. Improve the implementation of correctional tasks and functions.
2. Improving the objectivity of changing the detainees, prisoners and clients behavior as a guide in the implementation of services, guidance and guidance.
3. Enhancing the role of Community Guidance.
4. Improve the implementation of security in prisons and detention centers.
5. Increase the protection of ownership rights over evidence resulting from criminal acts.

The Directorate General of Corrections is determined to accelerate the implementation of the Minister of Law and Human Rights Regulation No. 35 of 2018 concerning Revitalization of Correctional Organizations. Through this program, fostering prisoners will be classified into Super Maximum Security Correctional Institutions, Maximum Security Safeguards, Medium Security Prisons,

Minimum Security Prisons, with Nusakambangan Island as a Pilot Project.

With the classification and revitalization of state correctional facilities, it will be easier to anticipate security disturbances in the Correctional Technical Implementation Unit (UPT) because they already know the characteristics of prisoners. In addition, bureaucracy can also be accelerated, appropriate, and anti-corruption towards the Integrity Zone Free of Corruption Region (WBK) and the Clean Serving Bureaucracy Region (WBBM) continues to be a concern.

B. Obstacles in conducting the Correctional Revitalization Program on Nusakambangan Island

Various problems occurring in detention centers and prisons throughout Indonesia pushed the Indonesian Ministry of Law and Human Rights to make a dramatic decision. Decision contained in the regulation of the Minister of Law and Human Rights of the Republic of Indonesia No 35 of 2018 Regarding the Revitalization of Correctional Organizations. The basis for revitalization is Permenkumham 35/2018. Law No. 35 of 2018 considers that the optimization and strengthening of the implementation of correctives is carried out in order to achieve a noble goal. The goal is to achieve the goal of fostering inmates so as not to repeat acts that violate the law and educate them to have social and entrepreneurial skills that are supported by a safe and conducive situation, as well as structuring and updating prison management.

Prison which serves as a place of execution of imprisonment or confinement based on a judge's decision, does not necessarily only as a transfer of prisoners' accommodation, but rather carries out the duty to sensitize prisoners so that they can return to society. Correctional institutions should be filled by competent courtiers as a whole, in order to be able to carry out moral and mental guidance of inmates.

At least to provide understanding to prisoners so as not to repeat the criminal actions again. Lapas in this case must be able to make someone 'accept the situation' mentally that he is a convict, while prisoners

come with a series of criminal proceedings that they go through by themselves without the hustle and bustle without the slightest involvement of prison personnel. Only because formal law forces prisoners to transfer prisoners' custody to prison, then often the task and function of formation is not fully carried out by correctional officers. Therefore prison officers feel that there is no connection or any relation whatsoever to the cases faced by prisoners, moreover to understand the mental or moral condition of prisoners after a court judge's verdict.

With this kind of understanding, prison is like a stopover for those who have already received a BHT verdict, and prison officers place themselves as 'new friends' for prisoners. Instead of providing the convenience of staying to restore legal awareness, the convenience of staying is expanded to be as comfortable as when they were outside before. The concept of coaching with equality of treatment is applied literally by providing material that is equally needed, in the eyes of a free society. Some cases of luxury cells of prisoners are like repeated, so that in the end the community was apathetic. Those who were highlighted by the camera turned the prison cell into a private room, only a handful of people were disadvantaged. Just because their cases are snapper classes, they are so vulnerable to the spotlight of journalists. Do not rule out the possibility of prisoners or other officers who also do the same thing, only escape from the pursuit of paparazzi. And facilities are not limited to the comfort of the room, there are still many other gaps that can be conditioned, for example the flow of treatment out of prison to hospitalization, or in the case of visits or receiving shipment. Returning to the special prevention of the goal of punishment to protect the convicted person, the purpose of the word protect 'which must be achieved in this case is not to call the convicted as a criminal, but rather as a person who is lost. That is, protecting in this case should not protect the subjective feelings of prisoners who do not feel they should be punished, but rather protect social stigma solely with prisoner status.

In addition, the equality of treatment is, the expertise of prisoners [4] mental preparation by correctional officers. correctional officers should not just be an office employee who deals with administrative matters. From the beginning someone set foot in prison, the officer must be able to make a scan of the condition of the prisoners psychologically, in their need to provide the right coaching model for them. In the correctional revitalization agenda, the classification is done from super maximum to minimum security. This concept is read as a glance back to the concept of imprisonment. However, it is expected that before the classification of hazard levels in prisoners' behavior is applied, the classification must be applied based on basic matters such as age, social background, mental / psychological condition, and so on. This system has never existed in the method of fostering prisoners, so that all prisoners have so far received equality of treatment literally, in other meanings. Elderly inmates who must do the same activities as young people. Likewise those whose souls are unstable during their teenage years are given spiritual material which is delivered in the same way as it is delivered to those who are more experienced with worldly problems.

It is time for everyone to get better. The overcrowded prison conditions cannot be solved simply by resignation and blaming the economic and social conditions which are one of the causes of increased crime. Correctional institutions must have futurological and anticipatory steps, to realize their noble duties, restore the nature of humans to become aware and law-abiding, as soon as possible and hurry to develop the internal competencies of correctional institutions, towards correctional prisons that are clean and responsible.

## V. CONCLUSION

In implementing the correctional revitalization program on Nusakambangan Island related to the effectiveness of the penitentiary revitalization program on Nusakambangan Island that revitalization

requires considerable support resources, so that in this case it can be said to be ineffective according to the Minister of Law and Human Rights Regulation No. 35 of 2018 concerning the revitalization of correctional arrangements. In carrying out the penitentiary revitalization program, it is due to a number of obstacles in implementing the revitalization program, namely inadequate human resources and inefficient facilities and infrastructure in treating prisoners.

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